

## **§ 631.80**

has obtained a bona fide offer of such employment, provided that the worker is totally separated from employment at the time relocation commences. The cost of relocation for an eligible dislocated worker shall not exceed an amount which is equal to the sum of the reasonable and necessary expenses incurred in transporting the dislocated worker and the dislocated worker's family, if any, and household effects, and a lump sum relocation allowance, equivalent to three times such worker's average weekly wage. The maximum relocation allowance, however, shall not exceed \$800, unless a greater amount is justified in the grant application and approved by the Grant Officer. Necessary expenses shall be travel expenses for the dislocated worker and the dislocated worker's family and for the transfer of household effects. Reasonable costs for such travel and transfer expenses shall be by the least expensive, most reasonable form of transportation.

(c) *Needs-related payments under CAETA and DDP.* Funds from grants for CAETA and DDP shall be available for needs-related payments to enable participants to participate in and complete training or education programs under those grants, subject to the following:

(1) Needs-related payments shall be provided to the participant only if the participant:

(i) Does not qualify or has ceased to qualify for unemployment compensation;

(ii) Has been enrolled in training programs by the end of the 13th week of an individual's initial unemployment benefit period following the layoff or termination, or, if later, the end of the 8th week after an individual is informed that a short-term layoff will exceed six months;

(iii) Is making satisfactory progress in training or education programs under this section, except that an individual shall not be disqualified pursuant to this clause for a failure to participate that is not the fault of the individual; and

(iv) Currently receives, or is a member of a family which currently receives, a total family income (exclusive of unemployment compensation, child

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support payments, and welfare payments) which, in relation to family size, is not in excess of the lower living standard income level.

(2) Needs-related payments shall be equal to the higher of:

(i) The applicable level of unemployment compensation; or

(ii) The poverty level determined in accordance with the criteria established by the Director of the Office of Management and Budget.

(3) Total family income shall be reviewed periodically, based upon information obtained from participants with respect to such income and changes therein, to determine continued eligibility, or to begin payments to individuals previously found ineligible for needs-related payments under this section.

## **Subpart H [Reserved]**

## **Subpart I—Disaster Relief Employment Assistance**

### **§ 631.80 Scope and purpose.**

This subpart establishes a Disaster Relief Employment Assistance program under title IV, part J of JTPA which shall be administered in conjunction with the title III National Reserve Grants Programs.

### **§ 631.81 Availability of funds.**

Funds appropriated to carry out this subpart may be made available by grant to the Governor of any State within which is located an area that has suffered an emergency or a major disaster as defined in paragraphs (1) and (2), respectively, of section 102 of the Disaster Relief Act of 1974 (42 U.S.C. 5122(1) and (2)) (referred to in this subpart as the "disaster area"). The Secretary shall prescribe procedures for applying for funds.

### **§ 631.82 Substate allocation.**

(a) Not less than 80 percent of the grant funds available to any Governor under § 631.81 of this part shall be allocated by the Governor to units of general local government located, in whole or in part, within such disaster areas.

The remainder of such funds may be reserved by the Governor for use, in concert with State agencies, in cleanup, rescue, repair, renovation, and rebuilding activities associated with such major disaster.

(b) The JTPA title III program substate grantee for the disaster area shall be the designated local entity for administration of the grant funds under this subpart.

**§ 631.83 Coordination.**

Funds made available under this subpart to Governors and units of general local government shall be expended in consultation with—

(a) Agencies administering programs for disaster relief provided under the Disaster Relief Act of 1974; and

(b) The JTPA title II administrative entity and the private industry council in each service delivery area within which disaster employment programs will be conducted under this subpart.

**§ 631.84 Allowable projects.**

Funds made available under this subpart to any unit of general local government in a disaster area—

(a) Shall be used exclusively to provide employment on projects that provide food, clothing, shelter and other humanitarian assistance for disaster victims; and on projects involving demolition, cleanup, repair, renovation, and reconstruction of damaged and destroyed structures, facilities, and lands located within the disaster area; and

(b) May be expended through public and private non-profit agencies and organizations engaged in such projects.

**§ 631.85 Participant eligibility.**

An individual shall be eligible for disaster employment under this subpart if such individual is—

(a)(1) Eligible to participate or enroll, or is a participant or enrolled, under Title III of the Act, other than an individual who is actively engaged in a training program; or

(2) Eligible to participate in programs or activities assisted under Native American and Migrant Programs; and

(3) Unemployed as a consequence of the disaster.

(b) [Reserved]

**§ 631.86 Limitations on disaster relief employment.**

No individual shall be employed under this subpart for more than 6 months for work related to recovery from a single natural disaster (described in § 631.3(f) of this part).

**§ 631.87 Definitions.**

As used in this subpart, the term *unit of general local government* includes:

(a) In the case of a community conducting a project in an Indian reservation or Alaska Native village, the grantee designated under the JTPA section 401 Indian and Native American Program (see part 632 of this chapter), or a consortium of such grantees and the State; and

(b) In the case of a community conducting a project in a migrant or seasonal farmworker community, the grantee designated under the JTPA section 402 Migrant and Seasonal Farmworker Program (see part 633 of this chapter), or a consortium of such grantees and the State.

**PART 632—INDIAN AND NATIVE AMERICAN EMPLOYMENT AND TRAINING PROGRAMS**

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